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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

REBECCA FISHER and TRAVIS  
FISHER,

Plaintiffs,

Civ. No. 11-3093-CL

**TEMPORARY RESTRAINING ORDER**

v.

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.,  
("MERS") a Delaware  
Corporation;

RECONTRUST COMPANY N.A.,  
("ReconTrust") a wholly  
owned subsidiary of  
Bank of America Corporation  
("BAC") a Delaware  
Corporation'

Defendants.

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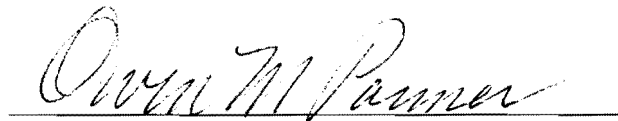
**PANNER, J.**

Based on an imminent and allegedly improper foreclosure by advertisement and sale, I issued a temporary restraining order restraining defendants from proceeding with the sale as scheduled. Prior to the hearing to determine whether to issue a preliminary injunction, defendants stated they canceled the

previously scheduled non-judicial foreclosure. [# 7.] Because there is no sale, there is no imminent harm to justify a preliminary injunction. Therefore, plaintiff's request for a preliminary injunction is denied as moot at this time. The show-cause hearing set for September 15, 2011 is canceled.

IT IS SO ORDERED.

DATED this 14 day of September, 2011.

A handwritten signature in cursive script, reading "Owen M. Panner", is written over a horizontal line.

OWEN M. PANNER  
U.S. DISTRICT JUDGE